



July 18, 2016

**BY ELECTRONIC FILING**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

**Re: NOTICE OF EX PARTE**  
**PS Docket No. 15-91:** *Improving Wireless Emergency Alerts and Community-Initiated Alerting*

Dear Ms. Dortch:

On July 14, 2016, Bradley Blanken, Courtney Neville, and I of Competitive Carriers Association met with Admiral David Simpson, James Wiley, and Nicole McGinnis of the Federal Communications Commission's (FCC or Commission) Public Safety and Homeland Security Bureau to discuss the Commission's 2015 Notice of Proposed Rulemaking (NPRM) in the above-referenced proceeding.<sup>1</sup> Competitive Carriers Association (CCA)<sup>2</sup> supports the Commission's goal to improve access to information in times of emergency for the benefit of all consumers. Specifically, CCA discussed the NPRM's proposals to reform the Commission's Wireless Emergency Alerts (WEA) program and cautioned the Commission to allow the technology to lead the policy.

CCA first discussed the NPRM's proposal to improve alert messaging content,<sup>3</sup> including through the use of embedded Uniform Resource Locators (URLs). Though technology has evolved since the adoption of the WEA rules, it is unclear at this time whether and how embedded URLs in every WEA alert could affect network capacity.<sup>4</sup> CCA therefore cautioned the Commission against requiring the use of embedded URLs for every WEA message at this time. Instead, the Commission should further consider and evaluate whether embedded URLs could undermine network

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<sup>1</sup> See *In the Matter of Improving Wireless Emergency Alerts and Community-Initiated Alerting*, Notice of Proposed Rulemaking, PS Docket No. 15-91 (rel. Nov. 19, 2015) ("2015 WEA NPRM").

<sup>2</sup> CCA is the nation's leading association for competitive wireless providers and stakeholders across the United States, and its membership includes nearly 100 competitive wireless providers ranging from small, rural carriers serving fewer than 5,000 customers to regional and national providers serving millions of customers. CCA also represents approximately 200 associate members including vendors and suppliers that provide products and services throughout the mobile communications supply chain.

<sup>3</sup> 2015 WEA NPRM ¶¶ 7-31.

<sup>4</sup> See *Ex Parte* Letter from Benjamin M. Moncrief, VP, Government Relations, C Spire, to Marlene H. Dortch, Secretary, FCC, PS Docket No. 15-91 at 1 (filed June 24, 2016) ("C Spire *Ex Parte*").

performance and how to ameliorate serious congestion on wireless networks. CCA reiterated concerns that failure to account for increased network congestion could threaten consumer ability to communicate during times of emergency.<sup>5</sup>

Further, CCA discussed the Commission's proposal to test embedded URLs in WEA messages via Amber Alerts.<sup>6</sup> While CCA supports this initiative, CCA likewise reiterated that the Commission should ensure that any URL or multimedia content is provided in a manner that is technically feasible for carrier networks. CCA recommends the Commission implement a narrowly-tailored exception from this requirement for carriers whose current network capacity may be more limited, including those that continue to transition from 2G and 3G networks to next generation technologies.

CCA supports the Commission's approach to increase the maximum WEA length from 90 to 360 characters of alphanumeric text for 4G LTE networks.<sup>7</sup> CCA agrees that expanding character length will improve the quality of information that consumers receive during disasters and emergencies.<sup>8</sup> Despite this, CCA cautioned the Commission to ensure that any requirements to expand character lengths are conditioned upon a carrier network's technical capability to support additional content.<sup>9</sup> The Commission should provide participating carriers an appropriate amount of time to adapt to changes in the program, including supporting additional characters.<sup>10</sup>

Finally, CCA discussed the Commission's attempts to improve participation in the WEA program and to combat user fatigue.<sup>11</sup> To address these issues, the Commission should first provide consumers the ability to choose and tailor the types of WEA messages they receive, while continuing to alert consumers to the most severe threats such as Presidential Alerts. Similarly, the Commission also should allow participating providers the flexibility to opt-out of the WEA program in certain portions of their coverage area to accommodate variations in infrastructure, network coverage, and equipment. In addition, the Commission should consider a streamlined waiver process for providers who cannot comply with any new WEA requirements.

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<sup>5</sup> See Comments of T-Mobile USA, Inc., PS Docket No. 15-91 at 6-7 (filed Jan. 13, 2016) ("T-Mobile Comments"). See also Reply Comments of Sprint Corporation, PS Docket No. 15-91 at 4-5 (filed Feb. 12, 2016) ("Sprint Reply Comments"); and C Spire *Ex Parte* at 1.

<sup>6</sup> See *Ex Parte* Letter from William L. Roughton, Jr., Executive Director – Senior Legal Counsel, AT&T Services Inc., to Marlene H. Dortch, Secretary, FCC, PS Docket No. 15-91 at 1 (filed May 23, 2016). See also *Ex Parte* Letter from Preston Findlay, Counsel, Missing Children Division, National Center for Missing & Exploited Children, to Marlene H. Dortch, Secretary, FCC, PS Docket No. 15-91 at 2 (filed May 24, 2016).

<sup>7</sup> 2015 WEA NPRM ¶ 7. See also C Spire *Ex Parte* at 1; Sprint Reply Comments at 2-3; T-Mobile Comments at 3-4.

<sup>8</sup> See T-Mobile Comments at 3.

<sup>9</sup> See *id.* at 3-4.

<sup>10</sup> See Sprint Reply Comments at 3.

<sup>11</sup> 2015 WEA NPRM ¶ 61.

CCA looks forward to ongoing discussions with the Commission to enhance and promote the WEA program. This *ex parte* notification is being filed electronically with your office pursuant to Section 1.1206 of the Commission's Rules. Please do not hesitate to contact me with any questions or concerns.

Respectfully submitted,

*/s/ Rebecca Murphy Thompson*

Rebecca Murphy Thompson  
EVP & General Counsel  
Competitive Carriers Association

cc (via email): Admiral David Simpson  
James Wiley  
Nicole McGinnis